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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,192	10/22/2003	Keon-Soo Choi	CU-3405 VE	6780
26530	7590	03/15/2005	EXAMINER	
LADAS & PARRY LLP			PHAM, MINH CHAU THI	
224 SOUTH MICHIGAN AVENUE			ART UNIT	
SUITE 1200			PAPER NUMBER	
CHICAGO, IL 60604			1724	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/691,192

Applicant(s)

CHOI, KEON-SOO

Examiner

Minh-Chau T. Pham

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

*Re*

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al (6,775,882 B2).

Murphy et al disclose a vacuum cleaner filter (90) which is detachably mounted into a dust collecting chamber (18) of a main body of the vacuum cleaner and which filters dust contained in the air sucked into an air inlet of the dust collecting chamber, the filter (90) comprising a cylindrical filter body (92), a porous filter paper (94), a cover having an internal screw section corresponding to the external screw section (see 104 & 106 in Fig. 5, col. 5, line 65 through col. 6, line 56), and the cover is provided with a cover handgrip (102). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a vacuum cleaner filter as taught by Murphy et al so that the filter can be easily installed or removed by the user to change out for life.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al (6,775,882 B2), in view of Alberts, III et al (6,565,637 B2).

Claims 4 and 5 call for a plurality of projections are formed on the lower surface of filter body. Alberts, III et al disclose a cover provided with a handgrip (see the very top part of filter assembly 10 in Fig. 2), and a plurality of supporting projections formed on the lower surface of filter body to space the filter body from the bottom surface of the dust collecting chamber (see details of the very bottom part of filter assembly 10 in Fig.

2). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a plurality of projections on lower surface of filter body as taught by Alberts, III et al in the filter apparatus of Murphy et al so that the filter assembly would be easily detachable from the device for maintenance or clean-out.

### ***Response to Arguments***

Applicant's arguments filed on December 7, 2004 have been fully considered but they are not persuasive.

Applicant argues that the cited reference Oh et al is not a proper art for the rejection because the reference is "owned by the same person or subject to an obligation of assignment to the same person". The Examiner now drops the Oh et al reference and newly introduces the Murphy et al as the primary reference for the 103 rejections. The secondary reference Alberts, III et al is still maintained in combination with Murphy et al for the 103 rejections of claims 4 and 5, as discussed above.

Applicant's arguments with respect to claims 1-5 have been thoroughly considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Minh-Chau Pham**  
**Patent Examiner**  
**Art Unit: 1724**  
**March 10, 2005**